

ASSEMBLY BILL

No. 525

Introduced by Assembly Member Anderson

February 25, 2009

An act to amend Section 60510 of, and to repeal Section 60511 of, the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 525, as introduced, Anderson. Instructional materials: surplus or undistributed obsolete.

(1) Existing law provides for the disposition of surplus or undistributed obsolete instructional materials that are usable for instructional purposes in various ways, including, but not limited to, by donation to a nonprofit charitable organization, or by sale to an organization that agrees to use the materials solely for educational purposes.

This bill would permit that sale without an assurance that the materials will be used solely for educational purposes.

(2) Existing law requires an organization, agency, or institution that receives instructional materials under these provisions to certify that it agrees to use the instructional materials for educational purposes and agrees to make no charge of any kind to the persons to whom the organization gives or lends the instructional materials.

This bill would repeal that requirement.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60510 of the Education Code is amended
2 to read:

3 60510. The state board, the governing board of any school
4 district that employs a superintendent of schools, and other school
5 districts with the approval of the county superintendent of schools,
6 may dispose of surplus or ~~undistributed~~ obsolete instructional
7 materials in their possession that are usable for educational
8 purposes in any of the following ways:

9 (a) By donation to any governing board, county free library or
10 other state institution.

11 (b) By donation to any public agency or institution of any
12 territory or possession of the United States, or the government of
13 any country that formerly was a territory or possession of the
14 United States.

15 (c) By donation to any nonprofit charitable organization.

16 (d) By donation to children or adults in the State of California,
17 or foreign countries for the purpose of increasing the general
18 literacy of the people.

19 (e) By sale to any organization ~~that agrees to use the materials~~
20 ~~solely for educational purposes.~~

21 SEC. 2. Section 60511 of the Education Code is repealed.

22 ~~60511. Any organization, agency or institution receiving~~
23 ~~obsolete instructional materials under the provisions of this article~~
24 ~~must certify to the governing board that it agrees to use the~~
25 ~~materials for educational purposes and agrees to make no charge~~
26 ~~of any kind to the persons to whom the organization gives or lends~~
27 ~~such materials.~~